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cerning aliens and data relative to the conditions and needs of the various forms of industrial and agricultural labor throughout the state, the supply and quality of the labor of aliens can be regulated in some degree in accordance with the demand. The commissioner of labor is required to give lists of alien children of school age to the proper authorities to aid in the enforcement of the compulsory school attendance law. Through the coöperation of the commissioner of labor with the various boards of education existing in the state, both minor and adult aliens may be given opportunities for instruction in the English language, duties and rights of citizenship and the fundamental principles of the American system of government. Labor camps, employment and contract agencies, institutions dealing with various classes of aliens, conditions at docks, railroad stations, etc., are subject to inspection by the labor commissioner and the investigators he appoints. Also, he has power to investigate such questions as deportation, private bankers in their dealings with aliens, frauds, extortions and the general social conditions of aliens and report the results of his investigations to the proper authorities. Employment agencies, with certain exceptions, are required to register with the commissioner of labor and make an annual report to him. While the powers of the bureau of industries and immigration are limited almost entirely to investigating, three other laws which were also passed at the last session deal directly with certain frauds imposed upon aliens. Two are amendments to the business law. One of these protects aliens by providing a general system of license of all private bankers by the state comptroller and the other by providing a similar system of license of ticket agents of railroads and steamship companies. The third is an amendment to the penal law and is directed against frauds practised on aliens by notaries public and commissioners of deeds or persons posing as such officers. For all these laws dealing with the different phases of the immigration problem,—labor of aliens, their economic and social conditions and the frauds practised upon them,—the special commission of immigration appointed by Governor Hughes in 1908, is responsible.

ETHEL CLELAND.

Interstate Commerce. The republican platform of 1908 approved the railroad rate law passed under the Roosevelt administration and declared for its strict enforcement. Two new features were proposed, namely, that railroads be permitted to make traffic agreements subject to the approval of the interstate Commerce Commission and that leg-

islation be passed to prevent the future overissue of stocks and bonds by interstate carriers.

The democratic platform declared for strict control of railroads by the Interstate Commerce Commission, and recommended that the commission be given power to proceed on its own initiative to investigate any rate and adjust any proposed increase in rates, before the same should take effect. Valuation of railroad property and approval of traffic agreements by the Interstate Commerce Commission were favored and also the prevention of watered stock.

President Taft in a special message recommended all of the foregoing declarations, except the valuation of railroads. Other specific recommendations by the president were; to establish a court of commerce to pass upon certain appeals from the Interstate Commerce Commission; to require the quotation to an intending shipper in writing by the carrier, of the legal rate for carriage; to permit the shipper to designate one of two or more through routes for his shipment; and to prevent railroad companies from acquiring any interest of any kind in a competing carrier, except that companies owning not less than one-half of a capital stock might acquire the remainder of the stock.

A bill embodying the President's recommendation was prepared by the Attorney-General and presented to both houses of Congress. As finally enacted, however, the law differed substantially from the presidential project.

The new law creates a commerce court with exclusive jurisdiction in the following kinds:

First. All cases for the enforcement other than by adjudication and collection of a forfeiture or penalty or by infliction of criminal punishment, of any order of the Interstate Commerce Commission other than for the payment of money.

Second. Cases brought to enjoin, set aside, annul or suspend in whole or in part any order of the Interstate Commerce Commission.

Third. Cases relating to the charges of rebating or discrimination made by the Interstate Commerce Commission under the Elkins act.

Fourth. All cases of mandamus to require the furnishing of cars or performing service under section 23 of the Interstate Commerce Act.

The court is to be composed of five judges designated from among the circuit judges by the chief justice of the Supreme Court for five years except that in the first instance five new circuit judges are to be named by the president and these are to act as members of the new court for one, two, three, four and five years respectively.

The court is given all of the powers conferred upon circuit courts within its own jurisdiction. Appeals may be taken to the Supreme Court by the aggrieved party within thirty days but such appeal will not stay the judgment of the commerce court unless the supreme court or the judge so directs.

An appeal may be taken from injunctions granted by the commerce court restraining any order of the Interstate Commerce Commission if taken within thirty days. Appeals are given priority in the Supreme Court over all causes except criminal causes.

The original bill provided that all cases before the commerce court and all appeals from the commerce court should be solely in charge of the Attorney-General. The Senate amended this to permit the attorneys of the Interstate Commerce Commission to coöperate and also to permit attorneys of interested parties to appear in such cases.

To facilitate the work of the court every common carrier is required to designate in writing an agent in the city of Washington upon whom process can be served.

The interstate commerce law was amended so as to apply to telegraph, telephone and cable companies, whether wire or wireless. Railroad companies are required to make reasonable regulations for the exchange, interchange and return of cars and to establish reasonable classifications of property for transportation, and practices affecting classifications, rates or tariffs, tickets, bills of lading and the manner of marking, packing and delivering of property for transportation and in relation to baggage.

The long and short haul clause of the interstate commerce law which prohibited an equal or a greater charge for a shorter than a longer distance over the same line in the same direction, the shorter being included within the longer distance, under substantially similar circumstances or conditions, was amended by striking out the words "under substantially similar conditions or circumstances," and by prohibiting a greater charge for a through route than the sum of the local rates. The commission may, however, permit a higher rate for a short haul under conditions to be determined by them.

The interpretation by the courts of the qualifying clause "under substantially similar circumstances and conditions," had rendered the original long and short haul clause practically useless. Under the new law the power to determine what constitutes a reasonable ground for charging an equal or a higher rate for a short than for a long haul is given to the commission.

Railroads which are in competition with water routes and which reduce rates between competitive points, are prohibited from restoring the old rates without the approval of the Interstate Commerce Commission.

The law empowers the Interstate Commerce Commission to proceed upon its own initiative to investigate any rate or discriminatory practice as well as upon the complaint of an individual or organization, and may establish through routes and joint classifications. Through routes may include carriage by electric or interurban companies which are authorized to carry freight and also with water routes. The shipper is allowed to select the through route for his shipment.

The most important provision in the interest of the public is the one permitting investigation of proposed increases in rates or changes in classification before the same take effect and permitting the commission to stay the effective date of such changes until an investigation of their reasonableness is made. The commission may proceed upon its own initiative or upon complaint, without answer or any formal pleading on the part of the carrier, to make such investigation. The burden of proof is placed on the carrier to show that any increase of rate proposed is reasonable. Preference is given to such cases over all other cases before the commission.

Interference by the federal courts in cases involving state statutes regulating carriers is limited by the new law which provides that no interlocutory injunction shall be issued by a single judge on the ground of the unconstitutionality of the statute. In all such cases three judges—one of whom must be a judge of the Supreme Court—shall sit and no injunction may be granted except on a majority vote after a hearing. Temporary restraining orders may be issued in cases where irreparable damage would be done but such an order can be in force only until the hearing and determination on the question of a permanent injunction. An appeal may be taken to the Supreme Court by the losing party.

In the matter of regulating the issue of stocks and bonds, Congress adopted a compromise course. The original draft contained three sections regulating the issue of securities. The House bill contained these sections slightly modified. The Senate struck the provisions out and the conference committee reported a section providing for an investigation of the subject by a commission to be appointed by the President. The size of the commission is to be determined by the President and also the compensation of the members, within an appropriation of twenty-five thousand dollars.

Penalties are provided for common carriers and their officers and agents who give any rebate or make any discrimination by any device whatever, and like penalties are prescribed for the receiver of the rebate or discrimination. Penalties are also provided for divulging information of a shipment to any one but the shipper or consignee.

The new law requires carriers to give a written statement of rates between any points on application by any person or company and penalizes failure or refusal to do so or any misstatement of the rate in writing.

Power is given to the commission to refuse to file any schedule which does not give notice of its effective date.

Some of the proposals which did not get into the enacted law were: legalizing pooling agreements; physical valuation of railroads; an analysis of classifications and tariffs every six months. The first two were in fact the only proposal of either political party which were not adopted. Physical valuation of railroads was passed by the House, defeated in the Senate and left out of the conference report. Legalizing pooling agreements under control of the Interstate Commerce Commission was provided for in the administration measure, but was defeated in the Senate. The provision for an analysis of classifications and tariffs was inserted by the Senate but was left out in the conference report. This would have enabled the commission to make the schedules filed with them intelligible by the careful analysis of statistical experts.

The law takes effect in sixty days except the provisions relating to investigations of proposed increases in rates and for an investigation of stock and bond issues which took effect on passage.

JOHN A. LAPP.

Old Age Pensions—French Act of 1910. One of the most important and far-reaching pieces of social legislation taken up by the French Chambers for many years has been under discussion during the past winter and finally passed early in April. France has now followed in the footsteps of Germany and Great Britain in providing for the necessities of her working people, or rather forcing them and their employers to make provision and then assisting them with a state allowance. The British Act of 1908 already described in this Review (February 1909, pp. 68-73) places the financial burden wholly on the imperial treasury, requiring no previous contributions by the receiver of a pension. The only conditions are that the man or woman shall have reached the age of 70, been a British subject for the previous twenty years, and have